

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

THOMAS SHEPPARD,

Plaintiff,

v.

CIVIL ACTION NO. 2:07-cv-49

MICHAEL ASTRUE,  
Commissioner of Social Security,

Defendant.

**ORDER GRANTING PLAINTIFF'S APPLICATION TO PROCEED IN FORMA  
PAUPERIS**

On June 19, 2007, Thomas Sheppard, ["Claimant"], filed a complaint for review of Defendant's denial of his application for Social Security benefits pursuant to 42 U.S.C. § 405(g) and 42 U.S.C. § 1383(c)(3), and an Application for Leave to Proceed *in forma pauperis*. Claimant's application reveals that he is not employed. Claimant has not received any income in the past twelve months from business, rent payments, interest, dividends, pensions, annuities, life insurance, disability, workers' compensation, gifts, or inheritance. Claimant has a bank account with less than \$100 in it and receives \$159 in food stamps per month.

Accordingly, it is **ORDERED** that Claimant's June 19, 2007 Application to Proceed *in forma pauperis* is **GRANTED**. The Clerk of Court is directed to notify the United States Marshal Service who shall serve process pursuant to Federal Rule of Civil Procedure 4(c)(2). Any recovery in this action will be subject to payment of fees and costs, including service of process fees and the \$350.00 filing fee.

DATED: July 2, 2007

/s/ James E. Seibert  
JAMES E. SEIBERT  
UNITED STATES MAGISTRATE JUDGE